

**From:** [Butler, David](#)  
**To:** [Rebecca J. Dulin](#); [Nelson, Jeff](#); [Grube-Lybarker, Carri](#); [Hall, Roger](#)  
**Cc:** [Wessinger-Hill, JoAnne](#); [PSC Contact](#); [Pratt, Douglas](#)  
**Subject:** Docket Nos. 2021-73-E, 2021-74-E, and 2021-75-E - Power Purchase Agreements, Request for Commission to Accept for Filing, and Request for Confidential Treatment of Agreement and/or Certain Portions of Agreement  
**Date:** Thursday, March 25, 2021 9:07:39 AM

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To Counsel for Duke Energy Carolinas, LLC and the parties:

As you may have noticed, the Commission carried over these items in its business meeting of March 24, 2021. The problem is the request for confidentiality in each item.

In the definitions section of each document, Item 1.34 defines the facility and is redacted.

In Item 2, the facility address is redacted.

In Item 3, the description of the facility is redacted.

In Item 4, the Nameplate Capacity Rating is redacted.

Our Staff Engineer noted that the Draft Environmental Impact Assessment ("EIA"), which is available online from FERC, contains the general location of the plants, i.e. their location by county and by river, and aerial photos of the site locations. The EIA also provides detailed descriptions of the facilities including the number and type of generators and their authorized installed capacity.

In summary, some of the information contained in the requests for confidentiality appears to be publicly available. The Commission will, of course, rule on the confidentiality issue in whatever way it deems appropriate, but the public availability of this data may affect how the Commission views the Duke requests for confidentiality in these Dockets. I would ask counsel for Duke to please comment on this issue on or before the close of business on Thursday, April 1, 2021. Also, any other party may also comment, if appropriate, subject to the same deadline.

Thank you for your help and consideration in this matter.

Regards,

David Butler

Chief Hearing Officer

Public Service Commission of South Carolina